IN THE HIGH COURT OF PUNJAB AND HARYRNA AT CHANDIGARH

C.O.C.P. No.666 of 2006
Date of Decision:- 30.10.2006

Ramesh Kumar & another ....Petitioners

through
Mr.Rajinder Goyal, Advocate

vs.

Mahabir Singh & ors. ....Respondents

through
Ms.Ritu Nain, Advocate.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT

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SURYA KANT, J.

This order shall dispose of C.O.C.P.Nos.666 of 2006 and 681 of 2006 as both have arisen out of a common order. The facts are being taken from C.O.C.P.No.666 of 2006.

The petitioners filed C.W.P.No.3047 of 2003 in which a direction to refund them the deposits along with interest at the same rate which the respondents charge on delayed payments, was issued.

Alleging non-compliance of the above-stated order, this contempt petition has been filed.

In response to the show cause notice issued to respondents No.2 and 4, reply/affidavit has been filed by Secretary-cum-Executive Officer, Market Committee, Kaithal, who has taken the stand that the petitioners have been refunded their deposit along with the same interest as is being charged by the Market Committee on delayed payments. In support of his stand, reliance has also been placed on the receipts Annexures R4/1 and R4/2.

Learned counsel for the petitioners, however, contends that the interest component has not been correctly calculated and they are entitled for some more amount. This fact, however, is disputed by learned counsel for the respondents.

After hearing learned counsel for the parties and having regard to the fact that the directions issued by this Court have been substantially complied with, I do not deem it appropriate to continue with these proceedings which are accordingly disposed of with liberty to the petitioners to make a self-explanatory representation to respondent Nos. 3 and 4 along with the details as to how they are entitled to be paid some more amount towards interest. If any such representation is made by them within one month from today, respondent Nos.3 and 4 shall consider the same within three months from the date it is received. If the petitioners are found entitled for some more payments towards interest, the same shall also be released within the above-stated period However, if respondent Nos.3 and 4 finds that the petitioners have already been paid entire arrears of interest and nothing more is payable, a communication to this effect shall be sent to them in response to their above-stated representation.

Rule discharged.

October 30, 2006 **(SURYA KANT)**
poonam **JUDGE**